

MINUTES OF THE CARTERSVILLE PLANNING COMMISSION

The Cartersville Planning Commission met in a regularly scheduled meeting on Tuesday, March 12, 2024, at 5:30 p.m. in the City Hall Council Chambers.

CALL TO ORDER: 5:30 PM

ROLL CALL

Present: Lamar Pendley, Anissa Cooley, Jay Milam, John Clayton, Greg Culverhouse, and Fritz Dent

Absent:

Staff Members: Randy Mannino, Julia Drake, David Hardegree, Zack Arnold

Chairman Lamar Pendley stated to the audience that the Planning Commission is a recommending body only and that for all cases heard, recommendations would be forwarded to the City Council for consideration. Furthermore, the cases would be heard before Council at the March 21, 2024, and April 4, 2024, City Council Meeting.

APPROVAL OF MINUTES

1. January 9, 2024, Meeting Minutes

Board Member Dent made a motion to approve the minutes. Board Member Clayton seconded the motion. Motion carried. Vote: 4-0-1 with Board Member Culverhouse abstaining.

Chairman Pendley made there would be a change in the agenda and that Z24-02 – 496 Mission Road would be moved to the front of the agenda due to a Board Member having to leave at 6:30 PM.

ZONING

2. Z24-02: 496 Mission Road

Applicant: Smith Douglas Homes

David Hardegree, Planning and Development Assistant Director, that all adjacent property owners had been notified and the property had properly been posted and advertised. Continuing, he gave an overview of the zoning history stating in 2006, the property was rezoned from R-20 and L-I with conditions to P-D (Planned Development) for the construction of single-family housing in combination with commercial. Zoning was approved on 12/7/06. The commercial development was generally limited to Office-Commercial (O-C) allowed uses. The approved commercial area was 19.47 acres. Conditions were also applicable to the residential development, 80.61 acres.

The zoning conditions attached to the zoning approval in 2006 are as follows and per Ordinance 80-06:

- 1) *Permitted uses shall be limited to the O-C district uses as well as hardware store, dry cleaners, and retail package stores (liquor), as well as O-C district development standards.*
- 2) *Proposed development will consist of a maximum of 191 residential lots.*

- 3) *Proposed development shall have a neighborhood swimming pool and clubhouse.*
- 4) *All residential homes shall be a minimum of 1,800 heated square feet.*
- 5) *Proposed development shall consist of a maximum residential and commercial acreage as shown on the proposed site plan.*
- 6) *All residential lots shall be a minimum of 10,000 square feet.*
- 7) *All proposed commercial buildings shall be a minimum of 30% brick, stone, and/or stucco.*
- 8) *Developer agrees to provide 10 feet of additional right-of-way beyond that which is necessary for project related improvements.*

In 2022, Smith Douglas Homes (SDH) began construction of Phase 1 which included (105) single family residential lots, (1) amenity lot, and (1) lot for a stormwater pond. All but one (1) Phase 1 lot has been developed as of the end of 2023.

In 2023, SDH began construction of the infrastructure for Phase 2 and a portion of the residential lots. Total approved lots in Phase 2 is eighty-six (86). Total approved residential lots for both phases is one hundred ninety-one (191).

Moving forward, Mr. Hardegree stated this application the current zoning application is to amend the zoning conditions of the commercial area of the P-D. The applicant requests to convert 12.58 acres of the commercial area to residential to construct 103 townhomes. The 12.58 acres is located along Mission Rd. between Silo Drive (Jackson Farm entrance) and the railroad tracks west of Silo Drive. The remaining commercial area, approx. 7 acres east of Silo Dr. along Mission Rd, will remain commercial.

See concept plan and elevations included with the application.

The proposed townhome development is shown with 109 total lots with 103 lots being developed for townhomes. The remaining lots will be common area lots. A pool is proposed on the lot at the Silo Dr and Mission Rd intersection.

Residential Lot summary:

Phase 1 Lots- 105

Phase 2 Lots- 86

Proposed Townhomes- 103

Proposed Total Lots for Jackson Farm – 294

Two entrances are proposed- one on Mission Rd and one on Silo Dr. This solution may address department comments regarding development regulations requiring more than one entrance for developments over 199 lots.

The internal streets are designed to accommodate front entry townhomes (front facades and garages along streets) except for townhomes adjacent to Silo Dr. and Mission Rd. Townhomes facing these existing streets will have a covered front patio.

Unit densities (units per acre or un/ac) are a consideration for any residential development. The table below includes the approximate unit densities along Mission Rd. from the DBD to Burnt Hickory Rd.

Densities near the DBD range from 6.22 in the R-7 zoning district to the 2.16 un/ ac in Jackson Farm. The townhome proposal is 8.66 un/ ac. A significant increase over any other development density along this section of the Mission Rd corridor.

Location or Subdivision	Zoning Category	Density-Theoretical	Density-Actual
DBD Area	R-7 (min. 7,000sf/ lot)	6.22	---
DBD Area	R-20 (min. 20,000sf/ lot)	2.18	---
Estate Lots-AG	AG (Agriculture)	0.12 (min. lot = 5 acres). Total. ac = 42+/-	---
Estate Lot- R-20	R-20	2.18	0.05
Reserve at Pettit Creek	R-10 (min. 10,000 sf/lot)	---	1.25
Jackson Farm	P-D (Designed as R-10)	---	2.16
Jakson Farm Townhomes-Proposed	P-D	12 (Per RA-12 zoning district standard)	8.66

No details about bedroom counts have been provided. Staffs' assumption is that the townhomes will be a mix of (2) and (3) bedroom configurations. This is sometimes a consideration by the school district to estimate student enrollment. No hardship is expected on the school district given that approx. 2,000 homes in Carter Grove will not be developed to the recent Technology District rezoning.

Keith Lovell, City Attorney, stated the applicant would have 10 minutes for their presentation. Each member of the audience that chooses to speak will be given five (5) minutes and urge the audience not to repeat concerns that have already been addressed. All questions were to be directed to the Board Members and not to members of the audience.

Chairman Pendley opened the public hearing.

Parks Huff, attorney with Sams Larkin Huff & Balli, LLP, located in Marietta, GA., came forward to represent the application and stated that all units would be three bedroom, two bathrooms and there would be two exits, however one of the entrances will be gated and used only for emergency personnel.

Karl Lutjens, 114 Old Mill Rd., came forward to give overview of the history of the plans for this area and further overviewed the proposed project.

Don Johnson, 1258 Burnt Hickory Rd, stated he was the property owner and this land had been in his family for five generations. Furthermore, he wishes to see growth in the area and is very pleased with Smith Douglas Homes' reputation.

Paula Sparti, 48 Jackson Farm Rd., came forward to express her concern for the project and reviewed her extensive research regarding the flood zone.

Board Member Dent made a motion to all Ms. Sparti an additional minute of speaking. Board Member Milam seconded the motion. Motion carried unanimously. Vote: 5-0

Ms. Sparti finished her overview of the flood zone areas and stated her report, that was provided to all board members, was to be made a part of the official record. See Exhibit A.

Edward Duke, 49 Westover Rd., came forward to state his disapproval of the project due to traffic concerns without a proper traffic study. Additionally, he asked that his handout with the outlined concerns were made a part of the official record. See Exhibit B.

Jennifer Rozelle, 42 Westover Rd., came forward and expressed her concern about the easement.

Joy Peterson, 42 Jackson Farm Rd., came forward to ask questions about accountability, drainage issues, property tax impact, cost of the impact, etc.

Victoria Federici, 48 Jackson Farm Rd., came forward to state that when she purchased her home in June, she was informed by her real estate agent that nothing would be built on this property and was no pleased with the idea of her view being skewed by townhomes.

Sheila Hernandez, 38 Twelve Oaks Dr., came forward to inquire about the number of trees that will remain as, in her opinion, Smith Douglas Homes does not typically keep trees on existing properties.

Mark Staples, 14 Twelve Oaks Dr., came forward to state that roads are very busy without an additional 200 homes.

Ms. Sparti came forward to ask when the land was purchased and when the discussion started for townhomes.

Mr. Huff returned to the podium to address some of the concerns regarding:

- Flood Plain Requirements: They are aware of the flood plain and will adhere to all requirements that the City and State have.
- Traffic: Residential has less traffic than the current zoning of commercial could potentially bring.
- Buffers: There will be buffers and green space proposed in the project.
- Maintenance: Smith Douglas Homes will handle all maintenance concerns until the Homeowners Association takes over.
- Disclosure: The property went under contract in September 2023 and unsure of when the discussion started regarding townhomes.

Board Member Culverhouse inquired about the covenants for the new project to which Mr. Huff stated that it would be the standard Smith Douglas Homes covenants.

Many Jackson Farm residents stated that they never received any indication of what the covenants were and would like to have a copy of them to which Mr. Huff stated he could provide the Jackson Farm residents with a copy.

Board Member Clayton left the meeting at 6:30PM.

Board Member Fritz inquired if the Homeowners Association would be the same as Jackson Farm or would it be separate, to which Mr. Huff stated it would be separate.

Mr. Lutjens returned to the podium to further discuss the flood plain concerns. He stated there are rules and regulations but that the stormwater would be separated from the existing Jackson Farms single family homes and there would also be a flood mitigation pond.

Additionally, Bartow County has a traffic study, and a plan is in place to address the traffic concerns. In closing, Mr. Lutjens reiterated the green space for the project would be a common area.

Board Member Dent inquired about lots 1-4 and if those units would rear facing Mission Rd and if fencing would be provided. Mr. Lutjens stated that the front would face Mission Road and those units would have rear entrance drives.

Board Member Culverhouse questioned additional parking availability, to which Mr. Lutjens stated the clubhouse would provide an additional 20-25 parking spots. Board Member Culverhouse suggested additional parking areas should be considered throughout the development.

With no one else to speak for or against the application, the public hearing was closed.

Board Member Dent made a motion to deny Z24-02. Board Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0

Mr. Lovell suggested a three-minute intermission to allow the crowd to disperse.

SPECIAL USE PERMIT

3. SU24-02 – 123 Leake St.

Applicant: Josh McWhorter

Mr. Hardegree stated that all adjacent property owners had been notified and the property had properly been posted and advertised.

Continuing, Mr. Hardegree gave an overview of the application stating Josh McWhorter, applicant, requests the special use permit to construct an apartment behind an office in the same building. In the DBD, a Special Use permit is required for apartments and condominiums, above, below, or behind commercial and office uses in the same building.

Per Sec. 16.4.2, the following are specific Special Use Standards for apartments and condominiums, above, below, or behind commercial and office uses in the same building:

- **Minimum square footage of a (1) bedroom apartment- 600sf. 659sf provided.**
- **Minimum parking spaces for the apartment- Two (2) Required. Two (2) provided.**
- **Minimum parking spaces for the Office space,1441sf- Five (5) spaces required (3 spaces/ 1000sf). Min. six (6) spaces provided between 123 Leake St and 162 W. Main St. See parking agreement for 162 W. Main St.**

All requirements can be met.

Chairman Pendley opened the public hearing.

Josh McWhorter, 162 West Main St., came forward to represent the application and to answer any questions from the board members.

Shane Kemp, 88 Glen Cove Dr., representative of Graphite Construction, came forward to explain the firewall between residential and commercial.

With no one else to come forward to speak for or against the application, the public hearing was closed.

Board Member Culverhouse made a motion to approve SU24-02. Board Member Milam seconded the motion. Motion carried unanimously. Vote: 4-0

TEXT AMENDMENT

4. T24-02: Text Amendment to the Billboard ordinance, Sec. 20-29 Applicant: Tilley Outdoors, LLC.

Mr. Hardegree stated this amendment would permit the applicant to install static billboard at 520 S. Tennessee St.

The closest billboard to this proposed area is 120 S. Gilmer St to the north and near the Old Alabama Rd bridge in Emerson to the south.

The staff is not opposed to the amendment.

Chairman Pendley opened the public hearing.

Bobby Walker, 15 S. Public Sq., came forward to represent Tilley Outdoors, LLC.

With no one else to speak for or against the text amendment, Chairman Pendley closed the public hearing.

Board Member Dent made a motion to approve T24-02. Board Member Milam seconded the motion. Motion carried unanimously. Vote: 4-0

PRELIMINARY PLAT

5. ZMA24-01 – Annual Zoning Map Amendment

Applicant: City of Cartersville

Mr. Hardegree gave an overview of the annual zoning map amendment and the revisions since the Planning Commission packet was sent out.

Board Member Culverhouse made a motion to approve ZMA24-01. Board Member Cooley seconded the motion. Motion carried unanimously. Vote: 4-0

With no other business to discuss, Board Member Dent adjourned the meeting.

The meeting adjourned at 7:38 PM.

Date Approved: April 9, 2024.

/s/ _____
Lamar Pendley, Chairman